

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

<b>BRENT TOWNLEY,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>vs.</b>	)	<b>Case No. 03-CV-0618-MJR</b>
	)	
<b>TIMOTHY ADESANYA,</b>	)	
	)	
<b>Defendant.</b>	)	

**ORDER AND MEMORANDUM**

**REAGAN, District Judge:**

The bench trial in this case was held on September 25, 2007. Defendant Adesanya moved for judgment as a matter of law under **FEDERAL RULE OF CIVIL PROCEDURE 52(c)** at the close of Plaintiff Townley's case. That motion is granted as to the following claims: (1) Townley's claim that Adesanya accused Townley of faking his injuries, (2) Townley's claim that Adesanya declined to prescribe or provide pain medication, (3) Townley's claim that Adesanya maintained an attitude of indifference toward his injuries, and (4) Townley's claim that he had to argue with Adesanya to obtain pain medication and crutches.

At the close of all the evidence, Adesanya reiterated the motion for judgment as a matter of law under Rule 52. This motion is granted in favor of Adesanya on Townley's claim that Adesanya failed to order and take an x-ray.

In granting the Rule 52 motion, the Court views all evidence in the light most favorable to Townley. The Rule 52 motion is granted for the reasons thoroughly articulated on the record, and because Townley failed to provide a competent causal link between the allegations of deliberate indifference and the damage claimed.

The Court takes under advisement the Rule 52 motions Adesanya made at the close of Townley's case and reiterated at the close of all evidence as to: (1) Townley's claim that Adesanya failed to perform a physical examination, and (2) Townley's claim that Adesanya failed to perform a drawer's test.

**IT IS SO ORDERED.**

**DATED this 28<sup>th</sup> day of September 2007.**

**s/ Michael J. Reagan**  
**MICHAEL J. REAGAN**  
**United States District Judge**